

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No. 291/2006

Lucknow, this the 30th day of July, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)
Hon'ble Dr. A. K. Mishra, Member (A)

Anil Kumar Srivastava aged about 61 years, son of late Har Narain, Resident of Plot No. 14, New Indira Avas Colony, P.O. Babhni Kanungo, Distt. Gonda.

Applicant.

By Advocate Sri Surendran P.

Versus

1. Union of India through the Chairman, Railway Board, New Delhi.
2. General Manager, North Eastern Railway, Gorakhpur.
3. Divisional railway Manager, North Eastern Railway, Lucknow.
4. FA & CAO, North Eastern Railway, Gorakhpur.

Respondents.

By Advocate Sri Deepak Shukla for Sri Prashant Kumar.

Order (Oral)

By Hon'ble Dr. A. K. Mishra, Member (A)


The services of the applicant, who was working as a clerk under the respondents, were terminated in 1976. This order was reversed in 1977 and the intervening period was treated as on duty. Although, the pay of the applicant has been fixed accordingly, his grievance is that arrears of his pay for the period 1976 to 1987 amounting to 18,183.60 have not been paid to him so far.

2. The reason for delay in payment is that the Railway Board is required to sanction any claim relating to a period which is more than 10 years old. All the papers in this connection had been forwarded by Respondent No. 3 to respondent No. 2 who is the General Manager of North Eastern Railway. At the time of hearing, the learned counsel for the respondents submits that the approval of the Railway Board is still awaited. Arrears of pay from January 1988 onwards have already been paid to the applicant in 1999. But the payment for the earlier period is held up for want of approval of Railway Board.

3. The fact remains that the applicant has been representing regularly from 5.1.2002 onwards; 9 of his representations have been annexed to this O.A. In spite of all his importunities, the matter could not be settled before his retirement. It is a sad commentary on the working of the railway administration that the legitimate claim of an employee has been held up for years together even after his retirement.

4. The learned counsel for the respondents seeks and is given 4 months' time within which the approval of the Railway Board must be obtained and the legitimate dues of the applicant towards arrears of salary should be paid without fail.

5. The application is accordingly disposed of with a direction to Respondents No.1 and 2 to ensure payment of the arrear dues of the applicant within 4 months positively. No costs.


(Dr. A. K. Mishra)
Member (A)


(Ms. Sadhna Srivastava)
Member (J)